

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
TRADE INTENTIONALLY UNDER 37 CFR 1.137(b)**

**Docket Number (Optional)**  
420042000300

First named inventor: Neil P. DESAI

Application No: 10/731,224

Art Unit: 1653

Filed: December 9, 2003

Examiner: M. Tsay

Title: COMPOSITIONS AND METHODS OF DELIVERY OF PHARMACOLOGICAL AGENTS

**MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

**NOTE: A grantable petition requires the following items:**

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

### 1. Petition fee

☐ Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Notice of Appeal (identify type of reply):

☐ has been filed previously on \_\_\_\_\_

**X** is enclosed herewith.

04/04/2006 CNGUYEN 00000009 031952 10731224

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B. The issue fee and publication fee (if applicable) of \$ 01 PL:1455

☐ has been paid previously on \_\_\_\_\_

☐ is enclosed herewith.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee



Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.



A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

Catherine M. Polizzi  
Signature

March 31, 2006

Date

Catherine M. Polizzi

Typed or printed name

40,130

Registration Number, if applicable

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Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Transmittal (1 page); Power of Attorney (1 page); Statement under 37 CFR 3.73(b) (1 page); Supplemental Application data sheet (4 pages).

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV456358245US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 31, 2006

Signature: Georgina Matos

(Georgina Matos)